

1
2 **IN THE UNITED STATES DISTRICT COURT**
3 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
4 **SAN FRANCISCO DIVISION**

5
6 **KIMBERLY S. SETHAVANISH, on behalf**
7 **of herself and all others similarly situated,**

8 **Plaintiff,**

9 **v.**

10 **ZONEPERFECT NUTRITION COMPANY,**
11 **a Delaware corporation,**

12 **Defendant.**

CASE NO.: 3:12-CV-02907 SC

CLASS ACTION

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF PLAINTIFF'S
MEMORANDUM IN SUPPORT OF
MOTION FOR CLASS
CERTIFICATION AND CERTAIN
EXHIBITS THERETO**

Date: November 8, 2013

Time: 10:00 a.m.

Location: Courtroom 1, 17th Floor

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28 Case No. CV 12-2907 SC

**[PROPOSED] ORDER Granting Plaintiff's Administrative Motion to
File Under Seal Portions of Plaintiff's Memorandum in Support of
Motion for Class Certification and Certain Exhibits Thereto**

After reviewing the papers submitted, and considering the arguments of counsel, and good cause appearing therefore, IT IS HEREBY ORDERED as follows:

1. Plaintiff's Administrative Motion to File Under Seal Excerpts of Plaintiff's Memorandum in Support of Motion for Class Certification and Certain Exhibits Thereto is GRANTED.

2. Exhibits 3 – 4, 9 – 13, 16 – 18, 20 – 21 and 24 – 26 to the Declaration of Joseph N. Kravec, Jr. in Support of Plaintiff's Motion for Class Certification contain documents or testimony ZonePerfect designated "CONFIDENTIAL" under the terms of the Protective Order entered in this action (Dkt. No. 49) and shall therefore remain under seal in this matter pursuant to Civil L.R. 7-11 and 79-5 and General Order 62.

3. The portions of Plaintiff's Memorandum in Support of Motion for Class Certification that contain or refer to documents and/or testimony ZonePerfect designated "CONFIDENTIAL" under the terms of the Protective Order entered in this action (Dkt. No. 49) and should therefore remain under seal are as follows:

- a. Page 2 lines 18-19;
- b. Page 4 lines 17-18;
- c. Page 5, lines 1, 14-19, 23-24 within footnote 6, and 25, 27-28 within footnote 7;
- d. Page 6, lines 10-11, 13-15, 23-24 and 26;
- e. Page 7, lines 1-5, 24-25;
- f. Page 8, lines 1-3; 9-18
- g. Page 10, lines 16-17;
- h. Page 11, lines 25-28;
- i. Page 12, lines 1-3 and 11-14; and
- j. Page 14, lines 1-4.

4. The portions of Exhibit 1 to the Declaration of Joseph N. Kravec, Jr. in Support of Plaintiff's Memorandum in Support of Motion for Class Certification that contain documents ZonePerfect designated "CONFIDENTIAL" under the terms of the Protective Order entered in this

1 action (Dkt. No. 49) and should therefore remain under seal are Pages 2 - 3, 8 - 10, 12 - 15, 18 - 19, and
2 22 - 29.

3 **IT IS SO ORDERED:**

4
5 DATED: July 23 _____, 2013


6 The Honorable Samuel Conti
7 Senior U.S. District Judge
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28